

I. FACTS AND PROCEDURAL HISTORY

II. LEGAL STANDARDS

1 of 2

against immune defendants. *See id.* § 1915A(b)(1)–(2). Pleading standards are governed by Rule 12(b)(6). *Wilhelm v. Rotman*, 680 F.3d 1113, 1121 (9th Cir. 2012). When a court dismisses a complaint upon screening, the plaintiff should be given leave to amend the complaint with directions as to curing its deficiencies, unless it is clear from the face of the complaint that the deficiencies could not be cured by amendment. *Cato v. United States*, 70 F.3d 1103, 1106 (9th Cir. 1995).

III. ANALYSIS

If the determination of a claim in a plaintiff's favor would imply the invalidity of a conviction or sentence, it is not cognizable as the basis of any civil action (including under § 1983), unless and until the challenged conviction or sentence has been reversed on appeal or vacated via writ of habeas corpus. *Heck v. Humphrey*, 512 U.S. 477, 486–87 (1994). The Court therefore dismisses, without leave to amend.

CONCLUSION

IT IS HEREBY ORDERED that the Motion for Leave to Proceed in Forma Pauperis (ECF No. 1) is DENIED as moot.

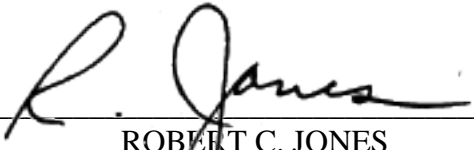
IT IS FURTHER ORDERED that the Clerk shall DETACH and FILE the Complaint (ECF No. 1-1).

IT IS FURTHER ORDERED that the Complaint is DISMISSED, without leave to amend, and a Certificate of Appealability is DENIED.

IT IS FURTHER ORDERED that the Clerk shall enter judgment and close the case.

IT IS SO ORDERED.

Dated this 18th day of May, 2015.



ROBERT C. JONES
United States District Judge